

**In the Claims:**

**Please cancel Claims 1-10 without prejudice**

1. (Canceled, without prejudice).
2. (Canceled, without prejudice).
3. (Canceled, without prejudice).
4. (Canceled, without prejudice).
5. (Canceled, without prejudice).
6. (Canceled, without prejudice).
7. (Canceled, without prejudice).
8. (Canceled, without prejudice).
9. (Canceled, without prejudice).
10. (Canceled, without prejudice).

**Please amend Claims 11-28 so as to read as follows:**

11. (Previously Presented) An optical recording medium, wherein  
main information is recorded on the optical recording medium, the main information  
having digital watermarking embedded therein, such that copying of the main  
information also copies the digital watermarking, the digital watermarking  
indicating copyright information, and  
additional information is formed on the optical recording medium, such that the  
additional information cannot be copied.
12. (Previously Presented) The optical recording medium according to claim 11, wherein the  
additional information is formed by a plurality of pits, each pit having a depth  
formed according to the additional information.
13. (Previously Presented) The optical recording medium according to claim 12, wherein the pits  
include a first pit having a first depth and a second pit having a second depth, and  
when a wavelength of a reproduction light beam is  $\lambda$  and a refractive index of the optical  
recording medium is  $n$ , the first depth is less than  $\lambda/4n$ , and the second depth  
exceeds  $\lambda/4n$ .
14. (Previously Presented) The optical recording medium according to claim 11, wherein the  
additional information is formed by pits, and  
the pits are formed at a position shifted from a regular pit position in a track direction  
according to the additional information.

15. (Previously Presented) The optical recording medium of claim 11, wherein the optical recording medium includes a plurality of regions, each region having an error correcting code associated therewith, such that the main information is error corrected using the error correction code to generate reproduction main information, and  
the additional information is formed by a difference between the reproduction main information and the main data recorded on the optical recording medium.

16 (Previously Presented) The optical recording medium of claim 11, wherein the additional information indicates that the recording medium is original.

17. (Currently Amended) A reproducing apparatus comprising:  
reproducing means for reproducing an optical recording medium having main information stored thereon; and  
reproduction restricting means for determining whether additional information is formed on the optical recording medium such that the additional information cannot be copied and determining whether digital watermarking is embedded in the main information such that copying of the main information also copies the digital watermarking, the reproduction restricting means restricting reproduction of the main information if it is determined that:  
(i) digital watermarking is embedded in the main information such that copying of the main information also copies the digital watermarking, and  
(ii) additional information that cannot be copied indicating that the recording medium is original is not formed on the optical recording medium.

18. (Previously Presented) The reproducing apparatus according to claim 17, wherein the additional information is formed by a plurality of pits, each pit having a depth formed according to the additional information.
19. (Previously Presented) The reproducing apparatus according to claim 18, wherein the pits include a first pit having a first depth and a second pit having a second depth, and when a wavelength of a reproduction light beam is  $\lambda$  and a refractive index of the optical recording medium is  $n$ , the first depth is less than  $\lambda/4n$ , and the second depth exceeds  $\lambda/4n$ .
20. (Previously Presented) The reproducing apparatus according to claim 17, wherein the additional information is formed by pits, and the pits are formed at a position shifted from a regular pit position in a track direction according to the additional information.
21. (Previously Presented) The reproducing apparatus according to claim 17, wherein the optical recording medium includes a plurality of regions, each region having an error correcting code associated therewith, such that the main information is error corrected using the error correction code to generate reproduction main information, and the additional information is formed by a difference between the reproduction main information and the main data recorded on the optical recording medium.
22. (Previously Presented) The reproducing apparatus according to claim 17, wherein the additional information indicates that the recording medium is original.

23. (Currently Amended) A method of reproducing main information stored on an optical recording medium comprising:

- (a) determining whether additional information that cannot be copied is formed on the optical recording medium;
- (b) if it is determined in (a) that additional information that cannot be copied is not formed on the optical recording medium, determining whether digital watermarking is embedded in the main information such that copying of the main information also copies the digital watermarking;
- (c) if it is determined in (a) that additional information that cannot be copied is formed on the optical recording medium, reproducing the main information;
- (d) if it is determined in (b) that digital watermarking is not embedded in the main information such that copying of the main information also copies the digital watermarking, reproducing the main information; and
- (e) if it is determined in (a) that additional information that cannot be copied is not formed on the optical recording medium and it is determined in (b) that digital watermarking is embedded in the main information such that copying of the main information also copies the digital watermarking, restricting reproduction of the main information.

24. (Previously Presented) The method according to claim 23, wherein the additional information is formed by a plurality of pits, each pit having a depth formed according to the additional information.

25. (Previously Presented) The method according to claim 24, wherein the pits include a first pit having a first depth and a second pit having a second depth, and when a wavelength of a reproduction light beam is  $\lambda$  and a refractive index of the optical recording medium is  $n$ , the first depth is less than  $\lambda/4n$ , and the second depth exceeds  $\lambda/4n$ .
26. (Previously Presented) The method according to claim 23, wherein the additional information is formed by pits, and the pits are formed at a position shifted from a regular pit position in a track direction according to the additional information.
27. (Previously Presented) The method according to claim 23, wherein the optical recording medium includes a plurality of regions, each region having an error correcting code associated therewith, such that the main information is error corrected using the error correction code to generate reproduction main information, and the additional information is formed by a difference between the reproduction main information and the main data recorded on the recording medium.
28. (Previously Presented) The method according to claim 23, wherein the additional information indicates that the recording medium is original.